3: Simutis S-4 (no date) 1942 RB5 Lithuanians RB5

Appendix A

THE DECLARATION OF INDEPENDENCE [1]

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The Council of Lithuania in its meeting on February 16, 1918, voted unanimously to address the governments of Russia, Germany, and other states with the following declaration:

The Council of Lithuania, sole representative of the Lithuanian people, in conformity with the recognized right to national self-determination, and in accordance with the resolution of the Lithuanian Conference held in Vilnius from September 18 to 23, 1917, hereby proclaims the restitution of the independent State of Lithuania, founded on democratic principles, with Vilnius as its capital, and declares the rupture of all ties which formerly bound this State to other nations.

The Council of Lithuania also declares that the foundation of the Lithuanian State and relations with other countries will be finally normalized by a Seimas (parliament), elected in a democratic way by the people of Lithuania.

The Council of Lithuania in informing [the nations addressed] to this effect kindly requests recognition of the independent State of Lithuania.

Vilnius, February 16, 1918 *Signed:*

L. Banaitis	P. Klimas	K. Saulys
Dr. J. Basanavicius	Donatas Malinauskas	J. Sernas
M. Birziska	Vl. Mironas	A. Smetona
K. Bizauskas	S. Narutavicius	J. Smilgevicius
P. Dovydaitis	Alfonsas Petrulis	J. Staugaitis
S. Kairys	Dr. J. Saulys	A. Stulginskis
J. Vailokaitis	J. Vileisis	

[1] Author's translation from the original Lithuanian.

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Her greatest disaster came in 1795 when, together with Poland, she was partitioned between Russia and Prussia. The greater part of ethnographic Lithuania was given to Russia and the lesser part, to Prussia.

Even though the Lithuanian-Polish state collapsed, the Lithuanian nation continued to exist, although it was badly impaired and its size diminished by more than two thirds.

Lithuanians were under the stern rule of Czarist Russia for 123 years until, on the 16th of February, 1918, the National Council in Vilnius (Vilna) declared Lithuania an independent state, with ancient Vilnius as its capital.[7] On July 12, 1920, during the war between the Soviets and the Poles, Lithuania signed in Moscow with the Soviet government a peace treaty by which the city of Vilnius with the region about it was assigned to Lithuania.[8]

But the old Polish scheme began to manifest itself again. After defeating the Soviet troops near Warsaw, the Poles appeared on the southern Lithuanian frontier and precipitated fighting with the Lithuanians. Finding the going more difficult than they expected, the Poles started negotiations which were carried on under the supervision of the League of Nations and resulted in the conclusion of the Treaty of Suvalkai[9] on October 7, 1920.[10] Two days later, however, the special Polish army, commanded by General Zeligowski, took the Lithuanians completely by surprise and occupied the city of Vilnius and the Vilnius region, comprising almost one third of ethnographic Lithuania. This treacherous act re-

[7] See Appendix A for the text of the Declaration of Independence.

[8] Pranas Dailide, *Lietuvos Sutartys su Svetimomis Valstybemis*, Uzsieniu Reikalu Ministerijos leidinys, Tomas I, 1919–29. Recueil des traites conclus par la Lithuanie avec les pays étrangers, Publie par le Ministère des Affaires Étrangeres. I (1919–29), 30–52. See Appendix B for the extract from the text of the peace treaty with Russia.

[9] Dailide, *op. cit.*, pp. 58–61.

[10] See Appendix C for the text of the Treaty of Suvalkai.

12: American Russian Institute
● 642

RB5 Lithuania RB5

[For the complete text of the Constitution of the Lithuania Soviet Socialist Republic of August 25, 1940 as amended through April 7, 1948, see category 116, entire source.]

12: Amer. Russ. Inst. (no date) 1950 RB5 Lithuania RB5

C O N S T I T U T I O N

(Fundamental Law)

of the

LITHUANIAN

SOVIET SOCIALIST

REPUBLIC

of August 25, 1940

As amended through April 7, 1948

Chapter I. The Social Structure

642 Art. 1. The Lithuanian Soviet Socialist Republic is a socialist state of workers and peasants.

Art. 2. The political foundation of the Lithuanian SSR is the Soviets of Working People's Deputies, firmly established as a result of the overthrow of the power of the landlords and the capitalists and the establishment of the dictatorship of the proletariat.

Art. 3. All power in the Lithuanian SSR belongs to the working people of town and country as represented by the Soviets of Working People's Deputies.

471 Art. 4. The economic foundation of the Lithuanian SSR is the socialist system of economy and the socialist ownership of the instruments and means of production, firmly established as the result of the liquidation of the capitalist system of economy, the abolition of private ownership of the instruments and means of production in large industrial enterprises, and the nationalization of such enterprises, banks, transport and means of communication with a view to the complete abolition of the exploitation of man by man and the construction of a socialist system of society.

421 Art. 5. Socialist property in the Lithuanian SSR exists either in the form of state property (belonging to the whole people) or in the form of co-operative property.

Art. 6. The land, its mineral wealth, waters, forests, mills, factories, mines, rail, water and air transport, banks, communications, large state-organized agricultural enterprises (state farms, machine and tractor stations and the like), as well as municipal enterprises and large dwelling houses in the cities and industrial localities, are state property, that is, belong to the whole people.

474 Art. 7. The common enterprises of co-operative organizations, with their
421 livestock and implements, the products of co-operative organizations, as well as their common buildings, constitute the common, socialist property of the co-operative organizations.

[Lithuanian Constitution as of April 7, 1948]

472 Art. 8. Alongside the socialist system of economy in the Lithuanian SSR the law permits the small private economy of individual peasants, artisans and handicraftsmen and small private industrial and trading enterprises.

423 Art. 9. The land occupied by peasant holdings as provided by law is secured for their use free of charge and for an unlimited time.

421 Art. 10. The personal property right of citizens in their incomes and savings from work, in their dwelling houses and subsidiary home enterprises, in articles of domestic economy and use and articles of personal use and convenience, as well as the right of citizens to inherit personal property, is protected by law.

471 185 Art. 11. The economic life of the Lithuanian SSR is determined and directed by the state national-economic plan, with the aim of increasing the public wealth, of steadily raising the material and cultural standards of the working people, of consolidating the independence of the USSR and strengthening its defensive capacity.

461 Art. 12. Work in the Lithuanian SSR is a duty and a matter of honour for every able-bodied citizen, in accordance with the principle: "He who does not work, neither shall he eat."

The principle applied in the Lithuanian SSR is that of socialism: "From each according to his ability, to each according to his work."

Chapter II. The State Structure

642 Art. 13. For the purpose of mutual assistance among the Union Republics along economic and political lines, as well as along the line of defence, the Lithuanian SSR voluntarily united with the other equal Soviet Socialist Republics, namely:

The Russian Soviet Federative Socialist Republic,
The Ukrainian Soviet Socialist Republic,
The Byelorussian Soviet Socialist Republic,
The Uzbek Soviet Socialist Republic,
The Georgian Soviet Socialist Republic,
The Azerbaijan Soviet Socialist Republic,
The Estonian Soviet Socialist Republic,
The Kazakh Soviet Socialist Republic,
The Latvian Soviet Socialist Republic,
The Kirghis Soviet Socialist Republic,
The Tajik Soviet Socialist Republic,
The Armenian Soviet Socialist Republic,
The Turkmen Soviet Socialist Republic,
The Moldavian Soviet Socialist Republic and
The Karelo-Finnish Soviet Socialist Republic

in a federal state, the Union of Soviet Socialist Republics.

Proceeding from the aforesaid, the Lithuanian SSR ensures to the USSR, as represented by its higher organs of state power and organs of state administration, the rights defined in Art. 14 of the Constitution of the USSR.

Outside of the spheres set forth in Art. 14 of the Constitution of the USSR, the Lithuanian SSR exercises state authority independently, retaining its sovereign rights in full.

[Lithuanian Constitution as of April 7, 1948]

642 Art. 14. The Lithuanian SSR consists of the districts of Alitus, Anikshchyai, Birshai, Varena, Vilkaviskis; Vilnyus, Zarasai, Ionishkis, Kaishyadoris, Kaunas, Kedainyai, Kelmena, Klaipeda, Krotinga, Kupishkis, Kurshenai, Lazdiyai, Mazheikyai, Mariyampole, Pagegyai, Panevezhis, Pasvalis, Plunge, Pronai, Radvilishkis, Rasteinyai, Rokishkis, Taurage, Telshai, Trakai, Ukmerge, Utyana, Shakyai, Shvenchenis, Shilute, Shyaulyai, Yurbarkas; and of the cities of Vilnius, Kaunas, Klaipeda, Shyaulyai and Panevezhis which do not form part of districts.

Art. 15. The Lithuanian SSR reserves the right freely to secede from the Union of Soviet Socialist Republics.

Art. 16. The territory of the Lithuanian SSR may not be altered without its consent.

[701] Art. 16a. The Lithuanian SSR has its own Republican military formations.

[648] Art. 16b. The Lithuanian SSR has the right to enter into direct relations with foreign states and to conclude agreements and exchange diplomatic and consular representatives with them.

Art. 17. The laws of the USSR are binding within the territory of the Lithuanian SSR.

[641] Art. 18. Every citizen of the Lithuanian SSR is a citizen of the USSR. Citizens of all other Union Republics enjoy on the territory of the Lithuanian SSR equal rights with citizens of the Lithuanian SSR.

Art. 19. The jurisdiction of the Lithuanian SSR, as represented by its higher organs of state power and organs of state administration, embraces:

a) Adoption of the Constitution of the Lithuanian SSR and control over its observance;

b) Establishment of the administrative-territorial divisions of the Lithuanian SSR and of the boundaries of districts and volosts;

c) Legislation of the Lithuanian SSR;

d) Maintenance of public order and safeguarding the rights of citizens;

e) Approval of the national-economic plan of the Lithuanian SSR;

f) Approval of the state budget of the Lithuanian SSR and of the report on its fulfilment;

g) Determination of state and local taxes, imposts and non-tax revenues in conformity with the laws of the USSR, as well as direction of the fulfilment of local budgets;

h) Direction of insurance and savings;

i) Administration of the banks, industrial, agricultural and trading enterprises and organizations subordinate to the Republic, as well as direction of local industry;

j) Control and superintendence of the condition and administration of enterprises subordinate to the Union;

k) Establishment of the procedure governing the use of land, mineral wealth, forests and waters;

l) Direction of dwelling-houses and the municipal economy, dwelling house construction and the modernization of cities and other inhabited places;

m) Road Building; direction of local transport and communications;

[Lithuanian constitution as of April 7, 1948]

642 n) Labor legislation; legislation concerning marriage and the family;

o) Direction of public health;

p) Direction of social maintenance;

q) Direction of elementary, secondary and higher education;

r) Direction of the cultural, educational and scientific organizations and institutions of the Lithuanian SSR, and administration of the cultural, educational and scientific organizations and institutions of all-Republican importance;

s) Direction and organization of physical culture and sports;

t) Organization of the judicial organs of the Lithuanian SSR;

u) Granting the rights of citizenship of the Lithuanian SSR;

v) Amnesty and pardon of citizens convicted by judicial organs of the Lithuanian SSR;

w) Establishment of the representation of the Lithuanian SSR in international relations;

x) Organization of the military formations of the Lithuanian SSR.

Chapter III. The Higher Organs of State Power of the Lithuanian Soviet Socialist Republic

646 Art. 20. The highest organ of state power in the Lithuanian SSR is the Supreme Soviet of the Lithuanian SSR.

Art. 21. The Supreme Soviet of the Lithuanian SSR is elected for a term of four years by the citizens of the Lithuanian SSR voting by election districts on the basis of one deputy for every 15,000 of the population.

Art. 22. The Supreme Soviet of the Lithuanian SSR exercises all rights vested in the Lithuanian SSR in accordance with articles 13 and 19 of the Constitution of the Lithuanian SSR, in so far as they do not by virtue of the Constitution, come within the jurisdiction of organs of the Lithuanian SSR that are accountable to the Supreme Soviet of the Lithuanian SSR, that is, the Presidium of the Supreme Soviet of the Lithuanian SSR, the Council of Ministers of the Lithuanian SSR, and the Ministries of the Lithuanian SSR.

Art. 23. The Supreme Soviet of the Lithuanian SSR is the sole legislative organ of the Lithuanian SSR.

Art. 24. A law is considered adopted if passed by the Supreme Soviet of the Lithuanian SSR by a simple majority vote.

643 Art. 25. Laws passed by the Supreme Soviet of the Lithuanian SSR are published in the Lithuanian and Russian languages over the signatures of the President and Secretary of the Presidium of the Supreme Soviet of the Lithuanian SSR.

Art. 26. The Supreme Soviet of the Lithuanian SSR elects a Chairman of the Supreme Soviet and two Vice-Chairmen.

Art. 27. The Chairman of the Supreme Soviet of the Lithuanian SSR presides at the sittings of the Supreme Soviet of the Lithuanian SSR and has charge of the conduct of its business and proceedings.

643 646 Art. 28. Sessions of the Supreme Soviet of the Lithuanian SSR are convened by the Presidium of the Supreme Soviet of the Lithuanian SSR twice a year.

[Lithuanian Constitution as of April 7, 1940]

66 The right to nominate candidates is secured to public organizations and societies of the working people: Communist Party organizations, trade unions, cooperatives, youth organizations and cultural societies.

Art. 114. It is the duty of every deputy to report to his electors on his work and on the work of his Soviet of Working People's Deputies, and he may be recalled at any time upon decision of a majority of the electors in the manner established by law.

Art. 115. Elections to the Soviets of Working People's Deputies of the Lithuanian SSR are held by election districts on the bases of representation fixed by the Ordinance Concerning Elections to Soviets of Working People's Deputies of the Lithuanian SSR.

Chapter X. Arms, Flag, Capital

18 Art. 116. The state arms of the Lithuanian SSR are a sickle and hammer of gold on a white background in the rays of the rising sun surrounded by ears of grain and oak leaves and with inscriptions in the Lithuanian and Russian languages: "Workers of All Countries, Unite!"

In the upper part of the arms is a five-pointed star and in the lower part, the letters "LTSR".

Art. 117. The state flag of the Lithuanian SSR is of red cloth with a gold sickle and hammer and the gold letters "Lietuvos TSR" in the upper corner near the staff. The ratio of width to length is 1:2.

Art. 118. The capital of the Lithuanian Soviet Socialist Republic is the City of Vilnius.

Chapter XI. Procedure for Amending the Constitution

642 Art. 119. The Constitution of the Lithuanian SSR may be amended only by
(46 decision of the Supreme Soviet of the Lithuanian SSR adopted by a majority of not less than two-thirds of the votes of the Supreme Soviet.

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000 Note: The Russian text from which this translation was made was a typed copy authenticated on June 24, 1948 by Mr. S. Pupeikis, Secretary of the Presidium of the Supreme Soviet of the Lithuanian SSR.